

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DARNELL THOMAS : CIVIL ACTION

v. :

THOMAS MCGINLEY, et al. : NO. 19-1353

**FILED**

**SEP 12 2019**

**ORDER**

KATE BARKMAN, Clerk  
By \_\_\_\_\_ Dep. Clerk

AND NOW, this 12 day of Sept, 2019, upon careful and

independent consideration of the pleadings and record herein, and after review of the Report and Recommendation of Thomas J. Rueter, United States Magistrate Judge, it is hereby

**ORDERED**

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for a writ of habeas corpus is **SUMMARILY DISMISSED** under 28 U.S.C. § 2243 and Rule 4 of the Rules Governing § 2254 Cases as barred by the AEDPA statute of limitations; and
3. A certificate of appealability is not granted.

BY THE COURT:

  
BERLE M. SCHILLER, J.